



SENATOR JOSÉ RODRÍGUEZ

CAPITOL

REPORT

on the 83rd Legislature (Regular and three Called Special Sessions): January 11 - August 5, 2013

Dear Friend:

Thank you for the honor and privilege of serving you in the Texas State Senate. We accomplished much in the 83rd Regular Legislative Session, and while the divisive Special Sessions were disappointing, we took more steps forward than backwards.

Much of the focus during the Regular Legislative Session was on the budget, which included increases to education and health care funding — not enough, in my opinion, but much better than the drastic cuts of 2011. We also worked hard to pass 50 bills benefiting the people of District 29 and the state as a whole. You'll find information about some of those bills in this newsletter.

Overall, the Legislature took important votes on a number of key issues. We had bipartisan agreement to restore \$4 billion of the \$5.4 billion cut from public education in 2011, reduce the number of standardized tests, strengthen the long-term viability of the teacher and state employee retirement systems while increasing current retiree payouts, and create funding mechanisms for water and roads. Unfortunately, we took steps backwards on redistricting and women's health care during the Special Sessions, and we failed to authorize much-needed campus construction bonds for our state's universities.

While we could have done more to bolster the state's social and physical infrastructure for the future, we made progress, particularly for District 29 priorities. I look forward to continuing to work on behalf of District 29 and for a New Texas.

Estimado Amigo(a):

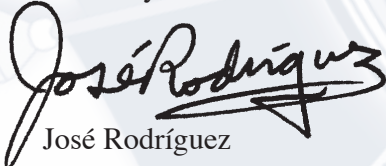
Gracias por el honor y el privilegio de servirle en el Senado de Texas usted. Hemos logrado mucho en la 83^a Sesión Legislativa Regular, y aunque las sesiones especiales de división fueron decepcionantes, tomamos pasos más hacia delante que hacia atrás.

Gran parte de la atención durante la sesión Regular legislativa sobre el presupuesto, que incluye aumentos a la educación y financiación de la atención sanitaria - no lo suficiente en mi opinión, pero mucho mejor que los recortes drásticos de 2011. También hemos trabajado duro para pasar 50 proyectos de ley que benefician a los residentes del Distrito 29 y el Estado en su conjunto. Usted encontrará información sobre algunos de los proyectos de ley en este boletín.

En su conjunto, la Legislatura tomó votaciones importantes en una serie de cuestiones clave. Teníamos un acuerdo bipartidista para restaurar \$ 4,000,000,000 del corte \$ 5400 millones de la educación pública en el año 2011, reducir el número de pruebas estandarizadas, fortalecer la viabilidad a largo plazo de los sistemas de jubilación de los empleados estatales profesor y al tiempo que aumenta los pagos de los jubilados actuales, y crear mecanismos de financiación para el agua y carreteras. Por desgracia, hemos dado pasos hacia atrás sobre la redistribución de distritos y el cuidado de la salud de las mujeres durante las sesiones especiales, y no hemos podido autorizar bonos de construcción del campus tan necesarias para que las universidades de nuestro estado.

A pesar de que podríamos haber hecho más para reforzar la infraestructura social y física del estado para el futuro, hemos hecho progresos, en particular para las prioridades del Distrito 29. Espero poder seguir trabajando a favor del Distrito 29 y para un Nuevo Texas.

Sincerely,


José Rodríguez



Senator Rodríguez and his family on opening day

An Effective Voice for El Paso

Priority Legislation

Many of the 50 bills passed by Senator Rodríguez were local priorities with statewide impact, including the transformation of the Texas Tech University Health Sciences Center at El Paso from a branch of the Lubbock-based health sciences center to an independent, standalone university component of the Texas Tech University System and a number of school reform bills to address cheating and accountability in standardized testing.



An Independent University

Senate Bill 120 establishes the Texas Tech University Health Sciences Center at El Paso as an independent university. The new university joins Texas Tech University, Texas Tech University Health Sciences Center, and Angelo State University as the fourth component of the Texas Tech University System.

This bill was the **top legislative priority** for the El Paso delegation this session, and it represents the culmination of two decades of hard work and close collaboration by our community and the Texas Tech University System.

Establishing an independent health sciences university is a key element of our community's education, health care, and economic development strategies. SB 120 provides TTUHSC at El Paso its own president and administration, schools with degree-granting authority, and more local control in key hiring and funding decisions.

As an independent university, TTUHSC at El Paso will be able to prioritize research on diseases that affect Latinos and border populations. In addition, the Paul L. Foster School of Medicine, which graduated its first class of doctors in May, and its companion, the Gayle Greve Hunt School of Nursing, will reduce the regional shortage of health care professionals and provide quality health care in a medically underserved area.



Senator Rodríguez lays out SB 120 as Senator Robert Duncan, who represents Lubbock and Texas Tech University, looks on.



Senator Rodríguez, Mayor Cook, and other local leaders during El Paso Days in Austin, hosted by the Greater El Paso Chamber of Commerce

School District Accountability

The FBI and U.S. Dept. of Education have been investigating corruption at El Paso Independent School District (EPISD) for over two years.

Six years ago, the former superintendent and his top administrators began gaming the federal accountability system to give the appearance that standardized test scores and student performance were improving at lower performing schools within the district.

This scheme included denying some students credits to advance to the 10th grade, forcing students to drop out or transfer to alternative schools, not allowing some students to enroll, and ultimately submitting false data to the Texas Education Agency (TEA) and the U.S. Dept. of Education. Targeted students were generally low performers, in the bottom 20 percent of their class, and/or Limited English Proficiency students.

Unfortunately, it appears that EPISD was not the only district that was cheating students. During the past year, similar allegations have been made at Canutillo ISD, San Elizario ISD, and Socorro ISD as well as at other districts across the state.

Senator Rodríguez passed the following bills in response to the corruption at our public schools:

SB 119 creates a student recovery program at EPISD to find the hundreds of students cheated out of their high school education.

SB 122 adds school districts' boards of trustees to the list of county officials who can be removed from office for incompetence or misconduct.

SB 123 strengthens TEA's oversight of districts by providing the TEA Commissioner with the authority to issue subpoenas to more easily investigate suspicious data reporting.

SB 124 makes the fraudulent manipulation of PEIMS data reported to the TEA a third-degree felony.

HB 343 requires El Paso County school board members—like other publicly elected officials—to file personal financial statements with their district and the El Paso County Commissioners Court.

El Paso and West Texas

Senator Rodríguez passed significant statewide reforms dealing with family law, guardianship, probate, trust, and criminal justice issues, as well as measures aimed at increasing transparency and accountability in local governance and promoting economic development.



Courts

Senator Rodríguez's service on the Jurisprudence and Criminal Justice Committees and his previous public service as El Paso County Attorney give him unique insight into issues associated with the civil and criminal court systems. This session, he passed a number of bills that address juvenile justice, family law, public defense, probate, and other matters that have great impact on people's daily lives. The bills protect victims of family violence, improve the quality of indigent defense, authorize attorney fees in contested divorces, and empower courts to deal with deadbeat parents.

This includes House Bill 1366, which closes a gap caused by a recent Texas Supreme Court decision by restoring the power of a court to order the payment of attorney's fees when spouses divorce. This law works overwhelmingly in favor of women, who have historically had access to fewer resources and less financial independence with which to pay their legal fees. Senator Rodríguez was able to amend this bill on the floor only days after the Texas Supreme Court ruling, a quick action that earned him the Legislator of the Year award from the Family Bar Section of the State Bar Association.

"Senator Rodríguez time and time again works to meet the needs of everyday Texans, and he has a laser focus when it comes ensuring that lawyers are available to meet Texans' legal needs. That includes state funding for basic civil legal services for the poor and enacting HB 1366, a statute that ensures equal access to a middle class couple's resources so that both wives and husbands in divorce cases are fairly represented." -- Ann McClure, Chief Justice of the Eighth Court of Appeals

Economic Development

This session, the Senator passed bills that allow El Paso, Presidio and Hudspeth counties to employ a variety of incentives to promote economic development. Some of these bills include incentives for new hotel projects within 3,000 feet of the El Paso Convention Center downtown (SB 1719), promotion for the Mission Trail (HB 1347), and support for re-establishing the dairy industry in El Paso County (HB 1081). We also passed key economic development measures for Presidio and Hudspeth counties (SB 1584 and SB 1585).

In addition, Senator Rodríguez joint authored legislation to provide tax incentives of approximately \$240 million for Research & Development.



Transparency, Ethics and Good Governance

The Senator has been a leader in El Paso County's efforts to create the state's first County Ethics Commission, and has a deep interest in transparent and accountable governance. This session, in addition to passing important statewide transparency measures, he passed a number of key items on the City of El Paso's and El Paso County's legislative agendas.

These bills included giving the county oversight of the emergency service districts in El Paso County (SB 332), and requiring El Paso County Water Improvement District No. 1 to contract with El Paso County to run the district's elections, and post the district's Board of Directors' campaign finance reports, meeting agendas, meeting minutes, archived video and audio of meetings as well as the district's budget and any audits (SB 856).

Additional bills give the City and the County of El Paso tools to better coordinate development standards and policies and streamline the subdivision process for the private sector (HB 1970), and to better address affordable housing needs by allowing a merger of the City and County housing authorities (HB 2975). Another bill ensured the stability of the El Paso Firemen and Policemen's Pension Fund (SB 1133).

Other bills gave the voters in the Village of Vinton the ability to recall their council members whose irresponsible actions have forced the town to operate without a budget (HB 2059 and HB 3015).

Statewide transparency measures included providing Texans with a more detailed account of how their tax dollars are being spent by requiring the Comptroller to publish the specific purpose for which a grant was awarded (HB 1487), and requiring counties to post a notice of foreclosure sale filed with the county clerk on the county's website (HB 584).



Senator Rodríguez with Hudspeth County Judge Mike Doyal and Hudspeth County Clerk Virginia Doyal on the Senate floor

Budget, Education and Health Care

Budget Highlights

- ✓ \$3.9 billion increase for **public education**
 - ✓ \$2 billion for **water**; election this year (Nov. 5, 2013)
 - ✓ \$1 billion for **transportation**; election next year (2014)
 - ✓ \$259 million increase for **mental health**
 - ✗ No Medicaid expansion
- ✓ UTEP Competitive Knowledge Fund: \$3.2 million each year for 2014-15
 - ✓ UTEP Research Development Fund: \$4.2 million each year for 2014-15
 - ✓ \$33.7 million for El Paso Community College
 - ✓ \$5 million to TCEQ for water lawsuit with New Mexico
 - ✓ \$1.5 million for the Eighth Court of Appeals
 - ✓ \$1.7 million for 2014-15 for the Texas Transportation Institute’s Center for International Intelligent Transportation in El Paso



Health Care

Texas has the highest number (6.1 million) and percentage (one in four) of uninsured in the nation. Extending Medicaid services to low-income adults would have provided coverage to an estimated 1.5 million Texans at relatively little cost to the state. This includes nearly one in three El Pasoans under the age of 65.

That’s why nearly a hundred organizations, including health care providers, Chambers of Commerce and large urban counties, recognized that expanding Medicaid would have more than paid for itself. Benefits would have included reduction of uncompensated care, increased worker productivity, job creation, additional tax revenues, and lower employer insurance costs for businesses.

One of the disappointments of this session was the failure to even consider expanding access to health care, whether through bills Senator Rodríguez filed to expand Medicaid (SB 455 and SB 1816), to give hospitals additional sources of revenue (SB 1767 and SB 1768), or to set parameters for how to develop a “Texas Solution” to the crisis of over six million Texans without health insurance.

Public Education

Budget

Among the budgetary bright spots for education were:

Early Childhood Professional Development: Well-trained providers contribute to quality early childhood environments. While higher education programs can provide some of this valuable training, many child-care workers are unable to afford these programs. A rider in the State budget calls for the Texas Workforce Commission to allocate \$500,000 each year to increase professional development for early education workers through stipends and other supports.

Texas School Readiness! Program: This session, the program was funded at \$3.5 million in 2014-2015. This program is available to Pre-K and Head Start providers that serve 50%+ low income students, and it allows Head Start programs to work with school districts to provide Pre-K to students.

We also had some **missed opportunities**, especially failing to fully restore support for Texas pre-K.

The 82nd Legislature cut \$300 million from Texas pre-K in 2011, primarily from the Pre-Kindergarten Early Start Grant Program (PKES), which allowed school districts to make quality improvements, establish community partnerships, and expand pre-kindergarten instruction to a full-day program. While the budget we approved in the 83rd Legislature included \$30 million that was provided as supplemental pre-K funding, it did not restore the PKES Grants.

Policy

House Bill 5 reduced the number of **high-stakes standardized tests** that high school students must take to graduate from 15 to 5. Additional provisions in HB 5:

- It creates a single diploma, the foundation program, and enables students to pursue their interests through diploma endorsements.
- Each school district must make available to high school students courses that allow a student to complete the curriculum requirements for at least one endorsement.
- It also institutes school ratings that provide a clearer understanding of overall district performance (school districts will move to an A-to-F rating).

The Legislature also increased the state cap on **charter school** contracts by about 15 a year to a total of 305 by 2019. Other components of **Senate Bill 2**:

- Dropout recovery and charter schools created by a school district as well as up to five charter schools focused on special needs students will not count towards the cap.
- High-performing charter schools from out of state will count towards the cap.
- School boards now have the authority to vote in favor of converting low-performing campuses in their districts into charter schools.
- The Texas Education Agency, not the State Board of Education, will oversee the charter approval, renewal, and closure process.

A Look Ahead to 2015

In addition to the bills that were passed into law, we had a number of bills that didn't make it through the legislative process in time. During the interim, we will build on the progress made this past session in anticipation of filing these bills in 2015. Here are some of our continued priorities for 2015:

Higher Education

The need for more infrastructure and improvements could not be greater at many of our state's institutions of higher learning. The Legislature did not issue bonds for campus construction since 2009. This session, although **tuition revenue bonds** (TRBs) had widespread bipartisan support, no legislation was passed.

During the Regular Session and all three Special Sessions, Senator Rodríguez filed bills to authorize TRBs for UTEP and TTUHSC at El Paso. Notably, two of the three El Paso projects were "Highly Recommended" by the Texas Higher Education Coordinating Board.

- The **\$99 million project for UTEP** would have provided critically needed capacity to expand the number of fast-growing, multi-disciplinary research initiatives.
- The **\$89 million project at TTUHSC at El Paso**, known as Medical Science Building II would have a projected 10-year economic impact of roughly \$1 billion.



Senator Rodríguez with University of Texas System Chancellor Francisco Cigarroa, UTEP President Diana Natalicio, UT Regent Paul Foster, Russ Vandenberg, and Leonard Goodman on the Senate floor

Equality for All

In 2003, the U.S. Supreme Court struck down the Texas law making "homosexual conduct" a crime. Ten years later, despite being **unconstitutional** and unenforceable, this law has not been taken off the books. **SB 538** would have repealed this defunct law.

SJR 29 would have placed a provision on the ballot for voters to approve the repeal of the Texas constitutional amendment banning same sex marriage. This ban unfairly treats Texans differently based on their sexuality and should be repealed.



Senator Rodríguez with Senator Deuell, Chairman of the Senate Economic Development Committee, and a worker who testified on Senator Rodríguez's SB 1743

State law requires a wage claim to be filed no later than six months after the wages were due. Workers often miss the filing deadline because they are not aware of this option or familiar with TWC. **SB 741** would have extended the filing deadline to one year to ensure that Texas workers have adequate **opportunity to recover their wages**.

Current Texas law does not provide specific protections from retaliation for workers who have reported a wage theft. **SB 1743** would have **protected workers from retaliation** when they seek wages they are owed.

Protections for Workers

Texas has the most dangerous construction industry in the United States. While one in five workers has suffered a workplace injury requiring medical attention, only 40% of surveyed workers reported that their employer provided workers' compensation insurance. **SB 740** would have required all construction contractors and subcontractors to **provide workers' compensation** to their employees.

Wage theft undercuts responsible businesses and hurts working families. Unfortunately, employers fail to pay workers their promised wages all too often. **SB 340** would have required the Texas Workforce Commission (TWC) to penalize any employer who fails to pay wages.

Promoting Renewable Energy

Texas, and El Paso and West Texas in particular, should be leading the nation in renewable energy, especially solar. To that end, Senator Rodríguez promoted incentives to help develop this industry.

When homeowners install distributed renewable generation (for example, a solar panel), electricity they produce but do not use flows into the grid. The electricity is then sold to other customers by the utility; however, homeowners may not get paid for this surplus electricity. **SB 1239** would have **guaranteed consumers payment** for electricity they provide. Texas is one of a handful of states that do not guarantee fair compensation for this electricity.

SB 1478 would have required the El Paso Electric Company (EPE) to generate a percentage of its **renewable energy credits** (RECs) in its service area. Currently, EPE often fulfills much of its REC requirements with energy from projects elsewhere, so many of the economic benefits associated with renewable energy leave the area. SB 1478 would have brought **new green jobs** and **small business development to El Paso and West Texas**.

Currently, **distributed renewable generation** (DRG) systems are capped by state law at 2 megawatts (MWs). A public entity's load is often greater than 2 MWs, so a public customer, such as Fort Bliss, is prevented from using DRG to meet its energy needs. **SB 1586** would have allowed public customers to build systems up to 10 MWs. If passed, this change would have been a key step in the U.S. Dept. of Defense's efforts to **strengthen America's energy security**, and it would have helped to **secure green jobs** for Texas.

**Helpful Phone Numbers for District 29
from State Senator José Rodríguez**

El Paso Important Numbers

City of El Paso.....	915-541-4000
El Paso County	915-546-2000
El Paso County Appraisal District.....	915-780-2000
Ft. Bliss.....	915-568-2121

General Information

Texas 2-1-1.....	2-1-1
Travel Conditions.....	1-800-452-9292

Family

Medicare.....	1-800-633-4227
Medicaid Hotline	1-800-252-8263
TexCare’s Member Services Dept. Medicaid / CHIP	1-800-647-6558
Child Support Division, Attorney General	1-800-252-8014
Texas Health & Human Services Comm. (Food Stamps)	1-800-448-3927

Consumers

Consumer Protection Hotline, Attorney General.....	1-800-337-3928
Injured Employees Hotline.....	1-800-252-7031

Victim’s Assistance

Elder/ Child Abuse Hotline.....	1-800-252-5400
Crime Victim’s Clearinghouse	1-800-848-4284

Legal

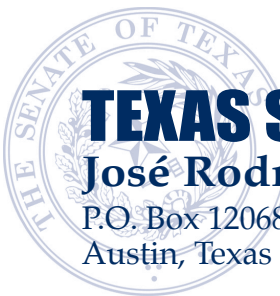
Free Legal Service/ Texas Rio Grande Legal Aid.....	1-888-988-9996
Lawyer Referral Service	1-800-252-9690
Family Violence Legal Line.....	1-800-374-4673

**Si usted desea recibir un boletín
en español, favor de llamar a la
oficina del Senador Rodríguez
en El Paso (915) 351-3500.**

For additional online government services visit:
texasonline.state.tx.us

Legislation

For more information on legislation or a
list of the 50 bills that Senator Rodríguez
passed into law, please contact his
Capitol office at (800) 544-1990.



TEXAS SENATOR

José Rodríguez

P.O. Box 12068
Austin, Texas 78711-2068

PRSR STD
U.S. POSTAGE
PAID
PERMIT NO. 2468
AUSTIN, TEXAS

District 29: Helpful Numbers & Information

**Senator José Rodríguez
Contact Us**

Capitol Office	District Office
Room E1.808	100 N. Ochoa St.
P.O. Box 12068	Suite A
Austin, Texas 78711	El Paso, Texas 79901
(512) 463-0129	(915) 351-3500
(512) 463-7100 Fax	(915) 351-3579 Fax
(800) 544-1990 Toll Free	
New offices in Lower Valley and Trans-Pecos areas opening soon.	

District 29 Map



**For more information on the
proposed Constitutional amendments
on the November 2013 ballot, please
contact the Capitol office at
(800) 544-1990.**